

NOT FOR PUBLICATION

CASE CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DAY'S INN WORLDWIDE, INC.,	:	
Plaintiff,	:	Civil Action No. 02-02143 (SDW)
v.	:	
BFC MANAGEMENT, INC., a West	:	ORDER
Virginia Corporation; JAMES COBB,	:	
an individual; and ROBERT FRAZIER,	:	March 4, 2008
an individual,	:	
Defendants.	:	

WIGENTON, District Judge

Before the Court are briefs submitted by plaintiff Days Inn Worldwide, Inc. (“Plaintiff”), co-defendants BFC Management, Inc. and Robert Frazier (collectively “Co-defendants”) and cross-claimant James Cobb (“Cobb”) regarding the final issues in this matter, namely Plaintiff’s claims for Lanham Act and liquidated damages and Cobb’s cross-claim seeking indemnification from Co-defendants and attorneys’ fees from Frazier. As per the parties’ and the Court’s understanding, no genuine issues of material fact are involved, and therefore, the Court decides these issues as if raised on a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56(c).

For the reasons set forth in the Court’s Opinion dated March 4, 2008, the Court hereby **GRANTS** summary judgment for Plaintiff and **GRANTS IN PART** and **DENIES IN PART** summary judgment for Cobb.

SO ORDERED.

s/ Susan D. Wigenton, U.S.D.J.